

**United States District Court**  
 for the  
**Eastern District of Missouri**

United States of America

v.

Carlos Mimms

Date of Previous Judgment: September 10, 2004  
 (Use Date of Last Amended Judgment if Applicable)

Case No: 4:04CR185  
 USM No: 30935-044  
 Charles E. Kirksey, Jr.  
 Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the Term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 70 months months is reduced to 57 months

**I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)**

Previous Offense Level: 27

Amended Offense Level: 25

Criminal History Category: F

Criminal History Category: 1

Previous Guideline Range: 70 to 87 months

Amended Guideline Range: 57 to 71 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated September 10, 2004 shall remain in effect.

**IT IS SO ORDERED**

Order Date: 5/19/08

  
 Judge's Signature

Effective Date: 5/29/08  
 (if different from order date)

Jean C. Hamilton, United States District Judge  
 Printed Name and title